

Public Comments on Draft WAC Washington Administrative Code (WAC) chapter 170-296
Last updated: March 19, 2010

LICENSING PROCESS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
170-296-5201 Licensee is responsible for: <ul style="list-style-type: none"> (1) The overall management of the licensed family child care home and (2) Complying with the minimum licensing requirements in this chapter, chapter 170-03 WAC (hearing rules) and chapter 170-06 WAC (background check rules) 	
170-296-5202 Licensee must follow the requirements of WAC 170-06, including obtaining a background check clearance for: <ul style="list-style-type: none"> (1) The licensee (2) All staff or volunteers; and (3) Any person age 16 or older who resides in the home. 	
Exemptions	
170-296-5210 A person that provides care for children in their home must be licensed unless specifically exempt under RCW 43.215.010(2)	
170-296-5211 The person claiming an exemption must provide to DEL proof that they qualify for an exemption using form ____.	
170-296-5212 A person must be licensed to care for children in their home if any of the following apply: <ul style="list-style-type: none"> (1) Care is provided for unrelated children from more than one family on a regular basis Care is provided for children for preschool age children for more than four hours a day	(O) 170-296-5212 #2 – “children for” needs to be taken out to have this statement make sense.
170-296-5215	

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<p>A family home child care may be certified for subsidy payment if the home is:</p> <ul style="list-style-type: none"> (1) Licensed by an Indian tribe; or (2) Certified by the federal Department of Defense. 	
<p>170-296-5216</p> <p>When the home is certified by the federal Department of Defense, the home must be licensed or certified in accordance with:</p> <ul style="list-style-type: none"> (1) National or state standards, or (2) Standards approved by DEL; and (3) Be operated on the premises over which the entity licensing or certifying the home has jurisdiction. 	
<p>170-296-5220</p> <p>The applicant for an initial license must attend Department approved pre-service training before a license will be granted by the department.</p>	
<p>170-296-5221</p> <p>The applicant must submit an application packet that includes:</p> <ul style="list-style-type: none"> (1) A completed application (2) Copy of government issued photo identification (3) Completed background check forms (4) Resume (5) References (6) Fees (7) Floor plan (8) Sewer/water safety plan if it applies (9) Handbook(s) to include parent, staff and operation policies (10) Copy of First Aid/CPR/blood borne pathogens training certificates; and (11) TB test results 	
170-296-5222 Identification	

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The applicant must submit a copy of their current government issued picture identification when applying for a license.	
170-296-5223 The license application process will take up to 90 days to complete.	
170-296-5224 (1) Applicants unable to complete the application process may withdraw the application and resubmit it if the applicant has not withdrawn the application by 90 days and (2) If the license application requirements have not been met the application will be denied. Refer to RCW 43.215.260.	
170-296-5226 Fees (1) The licensee/applicant must pay a nonrefundable license fee. (2) The payment must be in the form of a check or money order. (3) The license fee must be paid each year before or on the anniversary date of the license.	
170-296-5227 Fee Amount The fee amount will be \$24 a year based on the anniversary date of the license.	
Moves	
170-296-5230 When the licensee moves the licensee must: (1) Submit an application as soon as the licensee plans to move and has an identified address; and (2) Submit the application before the move.	
170-296-5235 Do not submit the application more than 90 days before the move.	

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170-296-5240 Licensee must submit a completed renewal application packet including all the following required documentation: <ol style="list-style-type: none"> (1) Renewal application; (2) New Background clearance forms for licensee, household members and staff as defined in chapter 170-06; (3) Copies of Current First Aid and CPR certificates; (4) Copy of current government issued picture; identification; and (5) Current parent handbook 	
170-296-5245 If there is a change in circumstances the licensee must submit an updated (as applicable) <ol style="list-style-type: none"> (1) Floor plan; and (2) Sewer/water safety plan 	(O) 170-296-5245 – This statement is too vague. Should state: If there is a change of circumstances within the licensed space or the addition of space used for child care, licensee must submit.....
170-296-5246 The renewal application must be submitted ninety days before the anniversary date of the license.	
170-296-5248 The full license is renewed every three years.	
170-296-5250 When the licensee demonstrates partial compliance with the licensing rules and all the health and safety requirements are met, an initial license is issued.	
170-296-5255 A full license will be issued when the licensee demonstrates compliance with all the licensing rules contained in this chapter.	
170-296-5260 A probationary license may be issued as part of a corrective action plan.	

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170-296-5262 Civil penalties or other sanctions may be issued with the probationary license.	
170-296-5263 A decision to issue a probationary license must be based on the following: <ul style="list-style-type: none"> (1) Intentional noncompliance with the licensing rules; (2) A history of noncompliance with the licensing rules; (3) Current noncompliance with the licensing rules; and (4) Any other factors relevant to the specific situation. 	
170-296-5264 When a probationary license is issued the licensee must: <ul style="list-style-type: none"> (1) Provide to all the parents or guardians of enrolled children the department approved written probationary notification. This written probationary notification must be provided to the parents or guardians within five working days of receiving the probationary notification from the department; (2) Inform parent or guardians of probationary status before enrolling new children; and (3) Return the full license to the department. 	
170-296-5265 The probationary license may be issued for six months up to one year.	
170-296-5266 The licensee has the right to refuse a probationary license; however by refusing a probationary license one of the following licensing actions may occur: <ul style="list-style-type: none"> (1) Modification; (2) Denial; (3) Summary suspension; or (4) Revocation. 	

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<p>170-296-5270 The licensee must inform the department when the licensee:</p> <ul style="list-style-type: none"> (1) (a) Possesses another care giving license or (b) Is in the process of applying for another care giving license. (2) Submit form _____ describing multiple licenses (3) (a) The department and licensee may agree to a modification to the license; or (b) If form _____ is not approved: <ul style="list-style-type: none"> i. The licensee may give up one of the licenses; or ii. The department may suspend, deny or revoke the license. 	
Exception To Rule	
<p>170-296-5275 The department may waive a specific WAC requirement with good cause.</p> <p>(1)</p>	<p>(O) 170-296-5275 – I’m hoping in the future, this new WAC will help families by allowing providers to keep siblings together when there is a birth of a sibling and not splitting them up into two childcares because of the ages of the children in the already established childcare. It is devastating to all the children and parents to uproot them from the “childcare family” that they know and love. How is this in the best interest of the children? Parents should also have a voice in the care of their children when no past issues of over capacity or safety are involved.</p>
170-296-5276 The department cannot waive a requirement in RCW.	
<p>170-296-5278 The department may approve an alternate method of achieving a specific requirement’s intent.</p> <ul style="list-style-type: none"> (1) The Licensee may request an exception to the rule by completing and submitting a written request using the department _____ form. (2) The department may approve an exception to the rule request only for a specific purpose or child. 	

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<p>(3) The exception request must be for a specific period of time not to exceed the expiration date of the license.</p> <p>(4) The exception request must not jeopardize the safety or welfare of the child in care.</p> <p>(5) The exception request must not detract from the quality of services the licensee delivers.</p> <p>(6) A copy of the approved written exception request must be kept on the premises.</p> <p>The department's denial of an exception request is not subject to appeal under RCW chapter 34.05 and chapter 170-03 WAC.</p>	
Subsidy	
170-296-5280 A licensee that receives child care subsidy payments must follow the requirements of the applicable subsidy program.	
170-296-5282 Licensee that receives Working Connections Child Care subsidies must follow the requirements in Part II of chapter 170-290 WAC.	
170-296-5285 Licensee that receives Seasonal Child Care subsidies must follow the requirements in Part III of chapter 170-290 WAC.	
Compliance with other state laws, rules and city and county ordinances	
Private Septic	
170-296-5290 Licensee must operate and maintain a private septic system in a manner acceptable to the local health authority.	
170-296-5292 Licensee must follow local public health requirements for periodic septic system inspections and maintenance.	
<p>170-296-5293 When there are no local requirements for periodic septic system inspections the licensee must:</p> <p>(1) Have the system inspected and maintained every three years; and</p>	

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(2) Keep the inspection and maintenance records on file.	
Private well water	
170-296-5294 Licensee must operate and maintain the water supply in a manner acceptable to the local health authority.	
170-296-5295 Licensee must follow the local public health requirements for periodic water testing.	
170-296-5296 When there are no local requirements the licensee must: <ol style="list-style-type: none"> (1) Test the water for coliform bacteria and nitrates every three years. The test must come back “satisfactory” or “acceptable” as defined by DOH; and (2) Keep the test results records on file. 	
170-296-5298 Licensee must : <ol style="list-style-type: none"> (1) Comply with city and county ordinances and codes (2) Meet the minimum construction, fire and safety requirements for single family dwellings. <p>The local officials are responsible for enforcing city or county ordinances and codes, such as zoning and building regulations.</p>	

STAFF QUALIFICATIONS	
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	<u>Staff Qualifications</u> 1) The new WAC doesn't state when things must be turned in or

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	<p>completed (i.e., background check, TB test results, 1st Aid/CPR, HIV, etc). Such when they turn in application or when someone is hired or at a later date?</p> <p>3) Is a resume no longer required to be turned in by licensee and assistants/volunteers? 4) Are 3 references no longer required to be turned for licensee?</p>
	<p>5300 Staff qualifications – ask Karen how this affects her defense. Want to insure public trust = being truthful, honest, of good character. Licensor concerned this may not be cleared.</p>
LICENSEE QUALIFICATIONS	
<p>170-296-5301 A licensee is the person(s);</p> <p>(a) Whose name appears on the license</p> <p>(b) Responsible for following the minimum licensing requirements, and</p> <p>(c) Responsible for the overall management of the licensed child care business.</p>	<p>170-296-5301</p> <ul style="list-style-type: none"> • (d) Who is responsible for maintaining compliance with the regulations. (from the old WAC 170-296-0020) • (d) Who is responsible for maintaining compliance with the regulations. (from the old WAC 170-296-0020)
<p>Minimum Age</p> <p>170-296-5310 The minimum age to be a licensee is 18 years old.</p>	
<p>Background Checks</p> <p>170-296-5320 The licensee must pass a background clearance check under chapter 170-06 WAC.</p>	<p>Provider question about following the Background Check WAC's... What are the 170-06's? Explanation that providers must know the MLR's as well as the Background check WAC's and that the 170-03's also apply to providers.</p> <p>Draft states that the licensee must pass a background check but it is under staff qualifications-so we would want to have staff members or assistants in this area also.</p> <p>You've taken out the term criminal history background check and are now calling it background clearance check. (Just</p>

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	<p>wondering why.)</p> <p>You've taken out the part about if other evaluations are deemed necessary by DEL (such as substance/alcohol abuse evals, etc.) Is this no longer going to be available for DEL to require?</p>
TB Test	
<p>170-296-5330 (1) Documentation of a negative Mantoux TB test completed in the last twelve months;</p> <p>(a) A previously positive Mantoux TB test with documented proof of treatment or a negative chest X ray; or</p> <p>(b) Documentation of Medication therapy to treat TB.</p>	<p>Provider question about the TB test... mistake clarified... TB test 1 time when first licensed... not every time license renewed, unless provider has let license expire for a time. CDA and other certified programs have different requirements for TB tests and their certification and rules need to be followed to remain certified in the specific program.</p> <p>How about situations where a physician indicates that a person with a positive TB test, while asymptomatic, does not require follow-up with chest xrays [past the first positive test] or medication therapy? Based upon experience with facilities direct care staff, many individuals who are born overseas have positive tests, have had clear chest xrays and no medications therapy, and medical advice would be not to test further absent symptoms of the disease.</p>
	<p>The guidelines for this have been very confusing over the years and it would be good to clarify this for all providers. I believe the wording for centers and family homes after the last rewrite were different which further added to the confusion. Originally, the recommendations as spelled out by DOH and L&I were a one time only 2 Hr HIV course (DOH), and a yearly BBP class (L&I). Confusion for providers has come in the following areas:</p> <ol style="list-style-type: none"> 1. Is BBP part of the HIV requirement or separate? 2. Is BBP a yearly requirement as L&I generally requires or is there an exception for Child Care?

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	<p>3. Is more included in the requirement for BBP than simply taking the BBP class? ie. Is the Center or home required to have and provide a Control Plan to their employees along with site specific training that will supplement the BBP training?</p> <p>http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_t=able=STANDARDS&p_id=10051</p> <p>Andy, I've pasted the relevant parts of the OSHA Standard below as it is rather lengthy. :) Additionally, the current wording of the requirements for the HIV training includes the following wording: training 'includes prevention, transmission, treatment, and confidentiality issues.' Generally the 2 hour training for HIV covers the following four areas: etiology and epidemiology, transmission and infection control, legal and ethical issues and psychosocial issues (WA DOH KNOW, HIV Prevention Education) . It does not cover treatment which is reserved for the 7 hour course for healthcare providers. The BBP training does touch on post-exposure protocols but that is not really a discussion of specific treatment. It would be best to separate the two requirements (unless DEL has a special authorization to only offer BBP one time only) and then to remove the word treatment from the list of things to be included in the training. I am open to possibly working with DEL to put together a standardized BBP package for Childcare providers that might simplify this process. I have interacted and worked with WAEYC, DEL and L&I on this issue off and on for the last 8 or so years and participated in Stakeholders when it was active. Dave</p> <p>Dave Wood, MD, MPH</p>

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	<p>Prevention MD 425-284-0456</p> <p><u>1910.1030(a)</u> <i>Scope and Application. This section applies to all occupational exposure to blood or other potentially infectious materials as defined by paragraph (b) of this section.</i></p> <p><u>1910.1030(b)</u> <i>Occupational Exposure</i> means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.</p> <p><u>1910.1030(c)</u> <i>Exposure Control --</i></p> <p><u>1910.1030(c)(1)</u> <i>Exposure Control Plan.</i></p> <p><u>1910.1030(c)(1)(i)</u> Each employer having an employee(s) with occupational exposure as defined by paragraph (b) of this section shall establish a written Exposure Control Plan designed to eliminate or minimize employee exposure.</p> <p><u>1910.1030(g)(2)</u> <i>Information and Training.</i></p> <p><u>1910.1030(g)(2)(i)</u> The employer shall train each employee with occupational exposure in accordance with the requirements of this section. Such training must be provided at no cost to the employee and during working hours. The employer shall institute a training program and ensure employee participation in the program.</p> <p><u>1910.1030(g)(2)(ii)</u> Training shall be provided as follows:</p>

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	<p>1910.1030(g)(2)(ii)(A) At the time of initial assignment to tasks where occupational exposure may take place;</p> <p>1910.1030(g)(2)(ii)(B) At least annually thereafter.</p>
Orientation	Draft WAC states the licensee must attend orientation prior to submitting an application. Recommendation-put within the last 12 months in there (other wise, they may have taken orientation three years ago but can still apply)
170-296-5340 The licensee applicant must attend an orientation provided by DEL prior to submitting an initial application.	
Pre-Service Training	
170-296-5350 The license applicant must attend a pre-service training provided by DEL, either on-line, through video or in person, as part of the licensing process	<p>Several Exempt Providers commented that this requirement would be very helpful in making a totally informed decision as to if they wanted to become licensed.</p> <p>Explained that current licensed providers would not have to take the pre-service training.</p> <p>Implementation language such as: "subject to appropriations authority" should be considered for this WAC.</p> <p>DEL lacks the capacity and the fiscal resources at present to provide, produce, or maintain such training.</p>
Basic 20 hour training	
170-296-5360 The licensee must complete the Basic 20 hours of State	Provider question on 20 STAR's hour requirements... the 20 hours is one time only.

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Training and Registry System (STARS) training within the first six months of being licensed.	<p>Explained that the new continuing education piece of the WAC's would be a requirement of 30 hours every 3 years. Concept very well accepted!</p> <p><u>Provider question's... How will new WAC's be given to providers and how would providers be notified of date when new WAC'S take affect?</u></p> <p>In new WAC re: 20-hr training you do not mention the possibility of STARS finding a provider "exempt" As it is written it sounds like the provider must complete the 20 hrs training and there are not other options such as having had college education that STARS may approve as meeting this requirement.</p>
On-going Training	
170-296-5370 After the 1 st year of being licensed, the licensee must complete 30 hours of on-going DEL approved training every 3 years.	
Fire Safety; Emergency Preparation	
170-296-5380 The licensee must be familiar with all elements of the fire evacuation plan; (a) The licensee must be able to operate the fire extinguishers; (b) The licensee must be able to test the smoke detectors; (c) The licensee must conduct monthly inspections of the home to identify fire hazards and take action to correct any hazards discovered during the inspection.	
170-296-5390 (1) The licensee must complete current First Aid/CPR	National standards Several sections refer to "national standards" for various

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<p>training.</p> <p>(2) The First Aid/CPR training must include a hands-on component and must be in accordance with a nationally recognized standard for:</p> <ul style="list-style-type: none"> (a) Infant, child, and adult CPR and (b) Basic standard first aid 	<p>certification requirements. Suggest this be specified. What national standards? Red Cross? OSHA? JoeBob's? This has been an ongoing dispute, and here is an opportunity to clarify it.</p> <p>I just wanted to advocate for the following to be included in the new WAC 170-296</p> <p>These comments concern two general topics: TB Test results and HIV and BBP Training</p>
<p>170-296-5400 Licensee must have written proof of attending an approved training for HIV/AIDS and blood borne pathogen that includes prevention, transmission, treatment and confidentiality issues.</p>	<p>WACs 170-296-5400 (licensee); 5490 (staff) and 5580 (assistants) Please allow for ONLINE training for HIV/AIDS and BBP as through, for example, the King County Public Health Department website. This course has been extremely helpful for the providers that I work with in rural SWSA. The Draft uses the word proof of "attending" an HIV/BBP class.... That implies physical presence so perhaps proof of "completion" of a class would clarify it and allow for the ONLINE course. (for substitutes the wording is sufficiently broad that it would imply already that an online class would be allowed).</p> <p>New WAC for HIV/AIDs training requirement states an "approved training" - who is approves it?</p> <p>170-296-5400</p> <ul style="list-style-type: none"> • Does this include Hepatitis? •approved training for HIV/AIDS, <i>Hepatitis A,B,C</i> and blood....
Primary Staff Person	

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170-296-5410 The Primary Staff person is qualified to be left alone with the children in the licensed child care.	
Minimum Age 170-296-5420 The minimum age to be a Primary Staff person is 18 years old.	
Background Clearance The Primary Staff person must pass a background clearance check under chapter 170-06 WAC.	
TB Test 170-296-5440 The Primary Staff person must have documentation of a negative Mantoux TB test completed in the last twelve months or; (a) A previously positive Mantoux TB test with documented proof of treatment or a negative chest X ray; or (b) Documentation of Medication therapy to treat TB.	<p>Hello NRMT, (Your job is large and your skills are great!) I just wanted to advocate for the following to be included in the new WAC 170-296 These comments concern two general topics:</p> <p>TB Test results and HIV and BBP Training</p> <p>for WACs 170-296-5440 (staff); 5530 (assistants) and 5630 (substitutes) Please include that the Results of the TB test must be completed BEFORE contact with children. Thank you. (for the licensee it is not specified either however they will not be licensed without a negative TB test....)</p>
Basic 20 hour training 170-296-5450 The Primary Staff must complete the Basic 20 hours of S.T.A.R.S. training within the first six months of being employed.	
On-going Training	

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After the first year of being employed, the Primary Staff must complete 30 hours of on-going DEL approved training every 3 years.	
Fire Safety, Training 170-296-5470 (1) The Primary Staff person must have fire safety and evacuation training, conducted by the Licensee, including; (a) Being familiar with all elements of the fire evacuation plan; (b) Operating the fire extinguishers; (c) Testing the smoke detectors; 170-296-5470 (2) The Primary Staff person will participate with the licensee in the inspections of the home to identify fire hazards and discuss with the licensee how to correct any hazards discovered during the inspection.	
First Aid/CPR and HIV/AIDS Blood Borne Pathogen training 170-296-5480 (1) The Primary Staff must complete current First Aid/CPR training. (2) The First Aid/CPR training must include a hands-on component and must be in accordance with a nationally recognized standard for: (a) Infant, child, and adult CPR, and (b) Basic standard first aid	

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170-296-5490 The Primary Staff person must have written proof of attending an approved training for HIV/AIDS and blood borne pathogen that includes prevention, transmission, treatment and confidentiality issues.	170-296-5490 <ul style="list-style-type: none">training for HIV/AIDS, <i>Hepatitis A,B,C</i> and blood.....
ASSISTANTS AND VOLUNTEERS QUALIFICATIONS	
170-296-5500 (1) Assistants and Volunteers are the people who help in the licensed child care but are supervised by the licensee or primary staff. 170-296-5500 (2) The licensee or primary staff person must be within visual or auditory range at all times when an assistant or volunteer is working with the children. Exception: Volunteers who fulfill the qualifications of the primary staff person can be left alone with children. NOTE: "supervised" will be defined.	Provider brought to the group's attention that the section on Assistants and Volunteers needed some correction and or clarification. 16 year old could be left alone all day with children, as long as Licensee had auditory or visual of the assistant at all times. Example given... provider has office in visual and auditory range of the child care children... she could stay in her office all day and not interact with the children. Explained that this is not the "Intent" of the WAC... but writers will come up with a way either to explain better or guide book reference.
Minimum Age 170-296-5510 The minimum age to be an Assistant or Volunteer is 14 years old.	170-296-5510 <ul style="list-style-type: none">Assistant or Volunteer is 14 16 years old. (14 seems too young for assistant or volunteer). 14 is too young The minimum age to be a <i>supervised</i> Assistant.....
Background Clearance 170-296-5520 The assistant or volunteer must pass a background clearance check under chapter 170-06 WAC.	

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<p>NOTE: Under RCW 43.43.832 an assistant or volunteer under age 16 is not required to complete a background check.</p> <p>The volunteer does not need a background check if they are not left alone with the children.</p>	
<p>TB Test 170-296-5530 An Assistant or Volunteer must have documentation of a negative Mantoux TB test completed in the last twelve months, or; (a) A previously positive Mantoux TB test with documented proof of treatment or a negative chest X ray; or (b) Documentation of Medication therapy to treat TB.</p>	
<p>Training 170-296-5540 The Assistant or Volunteer must receive, from the licensee, training in the child care home regarding regulations, safety, health, guidance, and nurturing.</p>	<p>Several sections refer to the licensee training assistants, volunteers, etc. Strongly suggest all these sections also require documentation of training, that is then stored in the staff person's personnel file at the site. Otherwise, this is unenforceable</p>
<p>Fire Safety and Evacuation 170-296-5550 (1) The Assistant or Volunteer must have fire safety and evacuation training, conducted by the Licensee, including; (a) Being familiar with all elements of the fire evacuation plan; (b) Operating the fire extinguishers; (c) Testing the smoke detectors</p>	
<p>170-296-5560 The Assistant or Volunteer must participate with the licensee in the inspections of the home to identify fire hazards and discuss with the licensee how to correct any hazards discovered during the inspection.</p>	

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First Aid/CPR training 170-296-5570 (1) The Assistant or Volunteer must have documentation of current First Aid/CPR training. (2) The First Aid/CPR training must include a hands-on component and must be in accordance with a nationally recognized standard for: <ul style="list-style-type: none"> (a) Infant, child, and adult CPR, and (b) Basic standard first aid 	
HIV/AIDS and Blood Borne Pathogens Training 170-296-5580 An Assistant or Volunteer must have written proof of attending an approved training for HIV/AIDS and blood borne pathogen that includes prevention, transmission, treatment and confidentiality issues.	
Substitute 170-290-5600 A Substitute temporarily does the job of the licensee in the licensed child care home	Very well accepted by providers. Define "temporarily" does the job of the licensee
Minimum Age 170-296-5610 The minimum age to be a Substitute is 18 years old	
Background Clearance 170-296-5620 The Substitute must pass a background clearance check under chapter 170-06 WAC	Alternate wording: "Only a person meeting all the qualifications of Primary Staff person is qualified to be left alone with the children in licensed child care." I'm not clear that DEL has the statutory authority to run a background check on someone under age 16.
TB Test	

STAFF QUALIFICATIONS	
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170-296-5630 A Substitute must have Documentation of a negative Mantoux TB test completed in the last twelve months, or; (a) A previously positive Mantoux TB test with documented proof of treatment or a negative chest X ray; or (b) Documentation of Medication therapy to treat TB.	
Training 170-296-5640 The licensee must provide training to the Substitutes in the child care home, regarding regulations, safety, health, guidance, and nurturing.	Seems to be a theme....how do you measure this, without requiring some type of objective standard in the WAC? i.e. maintaining training documentation [risk management practice to defend against liability for negligent training.] (S) No pre-service?
Fire Safety and Evacuation 170-296-5650 (1) The Substitute must have fire safety and evacuation training, conducted by the Licensee, including; (a) Being familiar with all elements of the fire evacuation plan; (b) Operating the fire extinguishers; and (c) Testing the smoke detectors (2) The Substitute will participate with the licensee in the inspections of the home to identify fire hazards and discuss with the licensee how to correct any hazards discovered during the inspection.	suggest adding to the front of #1 for clarity: "Staff and household members must have..." We've never heard the term "medication therapy" before. Is that a medical standard term that all will recognize?
Use of Substitutes 170-296-5670 Substitutes may provide child care in a licensed home for up to 12 hours a month.	this the same WAC listed above concerning the 20 hours of training? If that one is changed to "Before issuing an initial license" than this one needs to reflect that the training is required before hire.
First Aid/CPR training 170-296-5680 (1) The Substitute must complete current First Aid/CPR training.	same concern above about procrastination. Good idea on the surface, but will it fly in the real world or just cause problems? Should this state that the standards must be consistent with

STAFF QUALIFICATIONS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>(2) The First Aid/CPR training must include a hands-on component and must be in accordance with a nationally recognized standard for:</p> <p>(a) Infant, child, and adult CPR, and</p> <p>(b) Basic standard first aid</p> <p>HIV/AIDS and Blood Borne Pathogens Training 170-296-5690 Must have written proof of HIV/AIDS and blood borne pathogen training that includes prevention, transmission, treatment and confidentiality issues</p>	<p>WISHA standards? This allows licensors the ability to refer a provider to WISHA to confirm compliance.</p> <p>Documentation of the training should be provided</p>

FOOD AND NUTRITION	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
Food Service Requirements	
<p>170-296-5701 The Licensee must follow the current USDA Child and Adult Food Guidelines for Foods Served.</p>	<p><u>FOOD AND NUTRITION</u> 170-296-5701 through 170-296-5720</p> <ul style="list-style-type: none"> Keep this from the old WAC 170-296-0900 (1) and (2) (this was addressed by all 3 workgroups) <p>A minimum of one serving of vitamin C fruit, vegetable or juice daily; and</p> <p>Servings of food high in vitamin A, provided three or more times weekly.</p> <ul style="list-style-type: none"> Keep the entire section from the old WAC 170-296-0920
<p>170-296-5710 (1) A parent may provide alternative food for their child if a written food plan is completed and signed by a parent/guardian and the licensee.</p>	<p>170-296-5710</p> <ul style="list-style-type: none"> (e) Allergies Add this (e) Allergies Add this

FOOD AND NUTRITION	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>170-296-5720 The Licensee must supplement the alternative food plan with the USDA guideline foods if the parent/guardian does not provide food to meet the nutritional needs of their child.</p> <p>(1) This written food plan includes accommodations for:</p> <ul style="list-style-type: none"> (a) The child's medical needs, (b) Special diets, (c) Religious preference, or (d) Family preference 	
Home Canned Foods	
170-296-5730 Home canned foods are not allowed to be served.	
Drinking Water	
<p>170-296-5740</p> <p>(1) A safe supply of drinking water must be available to each child.</p> <p>(2) Drinking water must be served in a safe and sanitary manner.</p> <p>(3) Clean sanitary drinking water will be readily available throughout the day.</p>	<p>I like the language in the current WAC at 170-296-1140 (1) (a) (b) and (c) which gives the provider 3 choices for providing "safe" water: a public water system approved by DOH, an individual water supply approved by local health, or commercially bottled water.</p> <p>In Drinking Water WAC, nothing about water testing. Is this still required?</p> <p>We are losing our local health authority effective 8/1/2009 as the Child Care Health Program was disbanded by Snohomish County.</p> <p>When I called the well water unit for Snohomish County they stated they follow DOH standards and referred me to the DOH website.</p>

FOOD AND NUTRITION	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
	<p>When I went to the DOH website their only regulation on safe drinking water is that the homeowner tests when a home is sold. http://www.doh.wa.gov/ehp/dw/Publications/331-349.pdf</p> <p>I also have a good resource @ DOH for further technical advice if we want to help in being more specific in our WAC. Call me if DEL NRT would like to use the DOH staff as a technical resource if we are going to rewrite the WAC concerning this.</p> <p>I have confirmed there are no WAC's concerning private wells after they have been installed in DOH.</p> <p>So, who will have the actual authority to have wells tested to reassure DEL and the public that safe drinking water is being supplied from family licensed child cares on private wells?</p> <p>This should be standardized state wide. I feel we should be more specific in our WAC.</p>
Milk requirements	
170-296-5750 Milk must be served according to age: (1) Serve breast milk or formula from 0 to 12 months old (2) Serve whole pasteurized milk from 12 months to 24 months old (3) Serve breast milk or formula after 12 months until the parent/guardian is ready to serve whole pasteurized milk (4) Serve pasteurized milk or pasteurized milk product to	170-296-5750 (4)....milk product to children over 24 months old <i>with the option of whole milk.</i>

FOOD AND NUTRITION	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
children over 24 months old	
Introducing Solid Foods to Infants	
<p>170-296-5760 Providers will consult with parents/guardians before introducing solid food to infants.</p> <p>170-296-5770 (1) When serving food to infants:</p> <p>(a) Infants must be in a semi-reclining or upright position when served food,</p> <p>(b) Food fed to infants must not be shared using the same dish or utensil,</p> <p>(c) When heating infant food; must stir and test for safe temperature before serving,</p> <p>(d) Throw away any uneaten food from the serving container and</p> <p>(e) Serve solid food by utensil or infant's hand</p>	
Frequency of Foods/Snacks to be served	
<p>170-296-5780</p> <p>(1) Meals or Snacks must not be offered more than 3 hours apart unless the child is asleep.</p> <p>(2) Meals or Snacks must be offered at intervals at least 2 hours apart.</p>	<p>170-296-5780</p> <ul style="list-style-type: none"> • (1) and (2) combine <i>Meals or snacks must be offered at intervals at least 2 hours apart but no more than 3 hours apart unless the child is asleep.</i> • (1) and (2) combine <i>Meals or snacks must be offered at intervals at least 2 hours apart but no more than 3 hours apart unless the child is asleep.</i> • Move from old WAC to new WAC 170-296-0910 (2) and (3) • Blend together from old WAC in new WAC 170-296-0910 (6) and (7)

FOOD AND NUTRITION	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
Portions of Meals and Snacks served	
170-296-5790 (1) Meals and snacks served must meet the current USDA meal pattern guidelines for children (2) (a) The Licensee may serve each child individually or (b) The Licensee may serve family style in serving containers that allow each child the opportunity to serve themselves.	170-296-5790 <ul style="list-style-type: none"> Keep this from the old WAC 170-296-0900 (1) and (2) (this was addressed by 3 workgroups totally 9 parents) <i>A minimum of one serving of vitamin C fruit, vegetable or juice daily; and Servings of food high in vitamin A, provided three or more times weekly.</i>
Food Storage and Handling	
170-296-5800 Food must be prepared, served and stored in a safe and sanitary manner. The Licensee must follow the guidelines in the current State Food Handler's handbook.	
Washing Dishes	
170-296-5810 Dishes must be washed thoroughly by using one of the following methods: (1) Automatic dishwasher or (2) Hand-washed by the wash, rinse, sanitize and air dry method after each use	170-296-5810 <ul style="list-style-type: none"> Automatic dishwasher or <i>only in accordance with DOH guidelines.</i> Health Dept issues with some dishwashers should be put in somewhere.
Disposable Servicing Items	
170-296-5820 (1) Food must be cooked or reheated in safe containers – plastic containers are not allowed.	170-296-5820 <ul style="list-style-type: none"> Cooking utensils kept out of reach (not sure where to put this)

FOOD AND NUTRITION	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>(2) Disposables must be sturdy, used only once and thrown away after use.</p> <p>(3) Styrofoam cups must not be used for infants or toddlers.</p>	
Food Preparation and Serving	
<p>170-296-5830</p> <p>(1) All surfaces where food is prepared and served must be washed before and after use.</p> <p>(2) All food contact surfaces must be free of cracks and crevices.</p> <p>(3) The floor of food preparation area must be made of a material that does not allow water or moisture to penetrate the surface.</p> <p>(3) Pets must not be in the food preparation area while food is being prepared.</p> <p>(4) The kitchen can be used for other activities as long as there is continual supervision of the children.</p>	
Eating Area	
<p>170-296-5840 Meals must be served in a safe and sanitary manner.</p>	

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
	Under Infant Safety, what about small objects that cause choking hazard? It appears to be missing in this Infant Safety part.
Infant Safety 170-296-5900 The licensee must provide gates or other physical barriers that prevent infants and toddlers from accessing stairways	
170-296-5910 Baby walkers must not be used.	170-296-5910 <ul style="list-style-type: none"> Why can't baby walkers be used?
Sleeping Equipment 170-296-5920 (1) Sleeping/Napping Equipment must be provided for each infant (2) Sleeping equipment must be secure, safe and not subject to tipping. (3) Sleeping equipment must: (a) Have clean, firm, snug fitting mattresses covered with waterproof material that is easily cleaned and sanitized, without tears or tape (4) Cribs must have no more than two and three-eighths inches space between vertical slats. (5) Sleeping equipment must be arranged to allow staff access to children	170-296-5920 <ul style="list-style-type: none"> (1) <i>Separate</i> Sleeping/Napping Equipment must be..... (1) <i>Separate</i> Sleeping/Napping Equipment must be..... (1) <i>Separate</i> Sleeping/Napping Equipment must be..... <p>Sleeping equipment - seems a little vague. The way I read the new WAC it sounds like I would be able to use a king size bed as sleeping equipment for an infant.</p>

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>(6) If children are sleeping, they must be removed from car seats, swings or similar equipment.</p> <p>(7) Children that can climb out of their sleeping equipment can be transitioned to an alternate sleeping surface.</p>	
<p>SLEEPING</p> <p>170-296-5930 (1) Infants must be put to sleep on their backs to reduce the risk of SIDS.</p> <p>(2) Place the infant inside the sleeping equipment on a firm mattress with a tight fitting sheet.</p> <p>(3) Soft fluffy bedding, stuffed toys, pillows, crib bumpers and similar items in the sleeping equipment must not be used.</p> <p>(4) The infant's head and face must remain uncovered during sleep</p> <p>(5) Steps must be taken so that infants do not get too warm during sleep.</p> <p>(6) Once infants are able to turn over, continue to place them on their back to sleep. If the infant has turned over while sleeping, the infant does not need to be returned to his or her back.</p> <p>(7) The provider must place the infant in another sleeping position if required by a written note from the infant's health care provider. This note must be in the infant's file.</p> <p>(8) Bedding must be laundered at least weekly and more often if it becomes soiled.</p> <p>(9) Infants must not be left in playpens for extended periods of</p>	<p>170-296-5930</p> <ul style="list-style-type: none"> (3) Soft fluffy bedding....in the sleeping equipment must NOT be used. (CAPS & Bold) <p>In new WAC will sleeping infants be able to be placed in back bedrooms? Now sleeping infants must be in main child care space, but the new WAC just states "infants must be in the licensed area within visual or auditory range."</p>

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>time unless they are sleeping.</p> <p>(10) Sleeping infants must be subject to frequent checks.</p> <p>(11) Infants must be in the licensed area, within visual or auditory range, (a) This area must be approved by the department for use by infants.</p>	
<p>Infant bottles</p> <p>170-296-5940 (1) Bottles must be warmed under warm water or placed in a container of water that is not warmer than 120 degrees Fahrenheit.</p> <p>(2) A microwave oven must never be used to warm formula or breast milk</p> <p>(3) Breast milk and formula must be in clean and sanitized bottles with clean and sanitized nipples, covered and labeled with date prepared.</p> <p>(4) Bottles and nipples must be washed and sanitized before each use.</p> <p>(5) Sanitized bottles and nipples must be kept covered.</p> <p>(6) Children must not share bottles or infant cups, and the child's name must be on his or her bottle or cup.</p> <p>(7) The licensee must have a method to track when each bottle or container is removed from the refrigerator or prepared.</p> <p>(8) If a bottle has been out of the refrigerator for more than one hour it must be made inaccessible to children until disposed of.</p>	<p>170-296-5940</p> <ul style="list-style-type: none"> (9)at room temperature for an hour 30 minutes or more. <p>New WAC talks about "bottles must be warmed under warm water or placed in a container of water..." and "A microwave oven must never be used to warm formula or breast milk." Seems contradictory or repetative - I'm not sure which, but I know it doesn't sound right for some reason.</p>

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
(9) The contents of a bottle must be thrown away if it has been sitting at room temperature for an hour or more.	
Milk 170-296-5950 (1) Milk must be served according to age: See WACin Food section (2) Storing breast milk (3) When storing frozen breast milk, the licensee must: (a) Label the contents with the child's name and date it was brought; (b) Store the frozen breast milk at 10 degrees Fahrenheit or less; (c) Thaw the breast milk in the refrigerator, under warm running water or in a pan of warm water; and (d) Keep frozen breast milk for no more than two weeks.	170-296-5950 • (6) <i>Must be trained to store breast milk.</i> ADD
170-296-5960 (1) Infants must be held while feeding (2) Infants who are nine months of age or older, may hold their own bottle if they are: (a) Sitting in a stationary inclined position (b) In the same room and within visual range of the licensee or a primary staff person (3) When the child finishes feeding, or when the bottle is empty it must be taken from the child. (4) The licensee must not allow bottles to be propped when feeding an infant (5) The licensee must not allow an infant who is lying down to be given a bottle or cup	New WAC states "infants must be held while feeding (does this mean feeding bottle or feeding any food?)

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>Introducing Solid Food to Infants</p> <p>170-296-5970 (1) The licensee must consult with the parent/guardian before introducing food to infants.</p> <p>(2) Licensee must follow USDA nutritional guidelines adopted (date). [NOTE: This will need to be tracked and changed as USDA updates guidelines]</p> <p>(3) Infants must be in a semi-reclining or upright position when served food.</p> <p>(4) Food fed to children must not be shared using the same dish or utensil.</p> <p>(5) After heating infant food it must be stirred and tested for safe temperature before serving</p> <p>(6) Throw away any uneaten food from the serving container</p> <p>(7) Serve solid food by utensil or let the child feed oneself.</p> <p>(8) Infants must be fed on demand unless the parent/guardian gives written instructions for an alternative feeding schedule.</p>	<p>170-296-5970</p> <ul style="list-style-type: none"> • Solid food should 1st be introduced in the home. (In the event there is an allergic reaction the parent would have 1st hand knowledge of what the infant had eaten). • What about food allergies? Is this addressed anywhere? • (8) Infants must be fed on demand unless..... (Remove entire item – there is no way for a provider to feed every infant on demand.)
<p>Diapering</p> <p>170-296-5980 (1) The diaper changing areas must be separate from areas where food is stored, prepared or served.</p> <p>(2) There must be a sink for hand washing close to the diaper changing area with running hot and cold water.</p> <p>(a) This sink must not be used for food preparation and clean</p>	

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>up</p> <p>(3) A sturdy, easily cleanable mat or disposable covering must be used.</p> <p>(a) When using a mat it must be large enough to prevent the surface underneath from becoming contaminated with bodily fluids.</p> <p>(4) The diaper changing area must be cleaned and sanitized between each use</p> <p>(a) One tablespoon chlorine bleach per quart of cool water or</p> <p>(b) Other department approved sanitizing agent (refer to definitions for approved agents)</p> <p>(5) A nonabsorbent, disposable covering that is discarded after each use may be used.</p>	
<p>170-296-5990 (1) The diaper disposal container must:</p> <p>(a) Have a tight cover,</p> <p>(b) Is lined with a disposable plastic trash bag, and</p> <p>(c) Is within arm's reach of the diaper changing area.</p>	
<p>170-296-6000 (1) Diapers must be checked at least every two hours and changed when necessary, or whenever the child indicates discomfort.</p> <p>(2) The child being diapered must be attended to at all times.</p> <p>(3) The diaper must not be rinsed and must be placed directly into a waste container, used only for soiled diapers.</p>	<p>170-296-6000</p> <ul style="list-style-type: none"> (1) Diapers must be checked at least every two hours and..... <p>New WAC states that if "cloth diapers are used then a washable barrier between the diaper and clothes must be used. (Whay kind of a barrier? Do you mean a waterproof barrier?)</p>

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>(4) Diapers supplied for the children must be:</p> <ul style="list-style-type: none"> (a) Disposable or (b) A commercial diaper service or (c) Reusable diapers supplied by the child's family. <p>(5) If any cloth diapers are used then a washable barrier between the diaper and clothes must be used.</p>	
<p>170-296-6010 (1) After diapering a child the licensee or staff member must wash your hands and</p> <ul style="list-style-type: none"> (a) Assist the child with washing their hands. <p>(2) Hands must be dried using either</p> <ul style="list-style-type: none"> (a) Disposable towels (b) Hand driers, or (c) Clean cloth towels that have been washed and sanitized between each use. 	
<p>Toilet Training</p> <p>170-296-6020 Toilet training is initiated in consultation with parents:</p> <ul style="list-style-type: none"> (a) Using positive reinforcement; (b) Cultural sensitivity; (c) Not using foods as reinforcement; and (d) Following a routine established between the parent and licensee. 	<p>In item (3) a parent and child care provider are forbidden to decide that food (such as a jelly belly) would be the best form of motivations for the child who is learning to use the toilet. This seems inconsistent with my/DEL's interest in respecting both the individual needs and the culture of the family. Although food can be connected with obesity, it should not be up to DEL to make a decision on behalf of all children and parents in childcare because of the needs of a few. If there is a problem with food and it's use as a behavior modifier, address that through educational means. The benefits of using a jelly belly to help the potty training experience be positive for the child far outweighs the potential for a child to become obese through this means. It also seems arrogant for DEL/NRMT participants to claim to know more of what would help the individual child in question than the family and/or child care provider. Besides, substituting stickers as a aid in training provides a choking hazard to young children. Empower families by allowing them to make their own decisions about such personal matters as this, as is encouraged in item 4. 11/17/2009 11:13AM</p>

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>170-296-6030 If potty chairs are used they must be properly emptied into the toilet, cleaned and sanitized.</p> <p>170-296-6040 The floor under the potty chairs must be made of a material that does not allow water or moisture to penetrate the surface.</p>	
Play	
170-296-6050 Provide a sufficient quantity and variety of easily accessible learning and play materials designed to meet the children's developmental, cultural, and individual needs.	
<p>170-296-6060 The daily schedule must promote:</p> <p>(1) Social skills (for example: Opportunities for sharing, caring and helping-GUIDEBOOK);</p> <p>(2) Positive self-concepts</p> <p>(3) Language and literacy (a) Read and talk to them daily;</p> <p>(4) Physical development in both indoor and outdoor settings: (a) Encourage eye-hand coordination, body awareness, rhythm and movement (b) Freedom of movement outside their sleeping equipment (c) Provide materials and opportunities for strengthening large and small muscle development (d) Provide a safe environment for climbing, moving and</p>	

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
exploring; (e) Encouraged to handle and manipulate a variety of objects	
170-296-6070 Infants and toddlers must have ample opportunities to move about freely.	
170-296-6080 There must be a balance between adult directed and child-initiated activities.	
170-296-6090 Licensee or assistant voices must not dominate the overall sound of the group.	
170-296-7000 Place infants in a prone (lying on the stomach) position part of the time when they are awake and staff are observing them.	
170-296-7010 Toys, objects and other play materials must be provided that: (a) Are cleanable (b) Are nontoxic and (c) Cannot cause a choking hazard for infants or toddlers.	
INTERACTIONS 170-296-7020 (1) Treat each child with consideration and respect (2) Provide equal opportunities for each child to take part in all developmentally appropriate activities (a) Perform nurturing activities (b) Perform activities to stimulate an infant's development.	170-296-7020 <ul style="list-style-type: none"> • (9) Sit with children during meals. when possible. • (9) Sit with children during meals. when possible. • (9) Sit with children during meals. when possible.

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>(3) Be nurturing and affectionate- appropriately hold, touch, smile at infants, taking into consideration the parents' own nurturing practices.</p> <p>(4) Be in frequent verbal communication with the infant in a positive, reinforcing, cheerful and soothing way. Explain your actions, even to very young babies-</p> <p>(5) Be responsive and reciprocal in your interactions with infants</p> <p>(6) Listen to children with attention and respect.</p> <p>(7) Talk to and interact with each infant and toddler often and encourage them to respond.</p> <p>(8) Respond to and investigate cries or other signs of distress immediately.</p> <p>(9) Sit with children during meals when possible.</p>	
170-296-7030 Profanity or obscene language must not be used around the children in care.	
Supervision 170-296-7040 The licensee or a primary staff person must be within sight or hearing of the children both inside and outside of the home.	170-296-7040 - says the licensee or primary staff person must be within sight or hearing of the children both inside and outside of the home. so how about saying on 7040 that within sight or hearing of the children (except infants ages birth to ?) both inside and outside.
170-296-7050 Infants must not be outside without the licensee or primary staff person present within sight and hearing.	170-296-7050 - says infants must not be outside without the licensee or primary staff person within sight and hearing.

INFANTS	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
170-296-7060 Infants must not be inside without the licensee or primary staff person present within sight or hearing.	<p>Confusing for providers - first we say (all) children within sight or hearing inside and outside and then we say but infants are sight and hearing when outside.</p> <p>Does this section apply to only infants or toddlers and preschoolers and school-agers?</p> <p>plus are we saying that preschool age children can now be outside without visual supervision?</p> <p>Draft WAC does not have language in it in regards to "intervening to protect the health and safety of children". This language is critical and is part of DEL mission.</p>

PROGRAM	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
170-296-7501 The licensee must receive written permission from the parents or guardian for any off-premises activities.	
170-296-7502 The licensee must share with the parents a written safety plan for all off premises activities.	
Water activity – supervision	
170-296-7503 When the licensee takes children near water that is	

PROGRAM	
Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
<p>accessible and more than four-inches deep there must be:</p> <ul style="list-style-type: none"> (1) A lifeguard on duty, or (2) One additional staff member above the required staff child ratio to help with the children (refer to Capacity and ratio section). 	<p>(O) There needs to be a definition of “near”. Extra staff and a lifeguard are not practical for providers cost wise. How will this be enforced? This will diminish the experiences that are offered by providers. On walks there are 208 ponds that don’t drain, storm drains that are plugged, puddles, drainage ditches, Manito Park, and children’s museums. All will be restricted. The four inches restricts too much. Providers are allowed to have a wading pool 2 feet or less in depth within the licensed space, why are we not responsible enough to care for the children while walking by a 208 pond that doesn’t drain, that may have 6 inches of water in it? Why is there a double standard of the depth of water? Should state: If water that is intended to be swam in, entered, or is two feet deep or more, provider should use supervision as in the WAC for swimming.</p>
<p>170-296-7505 The licensee and other adults responsible for the care of the children must provide supervision where they can promptly assist or redirect activities when necessary.</p>	<p>(O) “promptly” needs to be taken out of this statement. It is not needed.</p>
<p>170-296-7506 The licensee must have a required first aid kit for:</p> <ul style="list-style-type: none"> (1) Use on all field trips and (2) In the vehicle every time the children are transported 	<p>(O) What does a field trip mean? Do you need a first aid kit to walk across the street and back? Around the block? What is the reasoning for the CIS records? What does the research say on this?</p>
Outings – emergency supplies	
<p>170-296-7508 Emergency supplies must include:</p> <ul style="list-style-type: none"> (1) A First Aid kit (2) An individual child’s required medication including medication permission form (3) Syrup of ipecac or other emetic (<i>definition</i>) (4) Emergency form for each child, including an immunization record (CIS). 	
Transportation	
170-296-7510	

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Preliminary Draft WAC (WAC Numbers are temporary)	COMMENTS
When transporting children the licensee must: (1) Follow the current law regarding child restraints and car seats (2) Have a copy of the child's completed enrollment form in the vehicle	
170-296-7512 Children may be transported using public transportation.	
170-296-7513 Ratios must be maintained when transporting children.	
170-296-7514 Children must not be transported for more than one hour per one-way trip on a routine basis.	
Developmental Activities	
170-296-7515 The licensee must have a posted typical daily schedule. A typical daily schedule includes: (1) Hours of operation (2) Types of activities, including screen-time (3) General timelines for activities (4) Routine transportation times (5) Meal service (6) Rest periods and (7) Outdoor times.	(O) Posting of daily schedule. Why must this need to be posted? If this information is given to parents, DEL, and all staff, everyone is informed of this. Postings as this will not be read. Parents may over look important postings because there is too much clutter. Too many postings, and the postings that are critical, will be over looked in times of need. There will be so much up there, in an emergency, the numbers needed will be hard to find. This should state: Typical daily schedule needs to be included in the written procedures provided to the parents/guardian of the children in care during the enrollment process, given to staff/volunteer, and updated as needed.
170-296-7516 The daily schedule must promote the child's: (1) Social, emotional and self development; (2) Positive self-concepts; (3) Language and literacy; and (4) Physical development, including daily opportunities to develop the child's small and large muscles.	
170-296-7517 The indoor and outdoor settings must support the child's: (1) Strengthening large and small muscles; (2) Encouraging eye-hand coordination; (3) Body awareness; (4) Rhythm and movement;	(O) 170-296-7517 #6- How will this be enforced? Appreciation for the arts is too subjective. There is no right way to enforce this. This needs to be removed. Creative expression, as in #5, does include the arts.

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(5) Creative expression; and (6) Appreciation for the arts.	
170-296-7518 The licensee will describe how their environment nurtures discovery and learning.	(O) It should state: The licensee's environment needs to nurture discovery and learning.
170-296-7519 The licensee may also demonstrate evidence of program activities by: (1) Displaying; (2) In writing; or (3) On a checklist.	(O) This wording should be examples in the guide book.
170-296-7520 The licensee must offer a supervised rest period. [Refer to Infant Care subchapter for infant sleeping requirements.]	
170-296-7522 The supervised rest period must be: (1) A minimum of thirty minutes; and (2) Offered to all children five years of age and under who remain in care for more than 6 hours; or (3) Offered to any child who shows a need for rest	
170-296-7523 The licensee must not force a child to sleep.	
170-296-7524 The licensee must provide quiet activities for the children that do not require rest. These activities must be offered with a minimum of disruption to sleeping children.	(O) This statement is not realistic. This is not possible to force them to "sleep". How would something that is impossible to do, be enforced by DEL? This statement should be taken out of the rules.
Screen Time (to be defined)	
170-296-7525 Screen time must be developmentally and age appropriate, and must not have violent or adult content.	(O) This statement is too subjective. How will this be enforced? Good providers will use their knowledge about what is appropriate for the children in care.

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170-296-7526 The licensee must provide children's activities that are not primarily screen time.	#170-296-7526. As long as providers follow all the other WAC's given, occasional extended screen time should not be an issue. #1 should be removed.
170-296-7527 The licensee must: <ol style="list-style-type: none"> (1) Limit screen time for any child to less than two hours a day. (2) Not force children to participate in screen time; and (3) Provide alternative activities to screen time. 	(O) 170-296-7527 #1 - This will not allow an occasional movie day. Most full length movies are at least 2 hours long. Good providers will not abuse
170-296-7528 The licensee must minimize the exposure to screen time for children under the age of two by: <ol style="list-style-type: none"> (1) Moving the child away from the screen; and (2) Providing alternative activities. 	(O) 170-296-7528 #1 - This statement needs to be taken out of the rules. How would this be enforced?
Special Programs-Special Needs	
170-296-7530 The following shall apply throughout this chapter: An exception to these rules may be allowed for special needs of an individual child with: <ol style="list-style-type: none"> (1) <ol style="list-style-type: none"> (a) A DEL approved written plan signed by parent; and (b) Supporting professional documentation regarding the child's individual needs. (2) This documentation must be from one of the following professionals: <ol style="list-style-type: none"> (a) Health; (b) Mental health; (c) Education; (d) Social service with bachelors or higher degree with specialization knowledge related to child's needs; or (e) A nurse. (3) The documentation must be in the form of a: 	(O) 170-296-7530 #1 - This should not be DEL approved. It should only be approved by the parent <u>or</u> a professional as in #2 of this WAC. This is for the best interest of the <u>child</u> . Approval of DEL is not warranted in a special needs case.

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(a) Individual education plan (IEP), (b) Individual health plan (IHP), or (c) Individual family plan (IFP).	
170-296-7535 The licensee must request DEL approval to count a child with documented special needs in ratio when the child is over the maximum age allowed on the license.	
Diversity	
170-296-7540 The licensee must discuss with the licensor and families of enrolled children how the child care environment reflects the children's: (1) Daily life; (2) Family culture; and (3) Language.	(O) 170-296-7540 & 7545 - These items need to be in the guide book. Should state: You must provide..... Culturally relevant activities and materials in the environment, to meet the needs and interests of the children being served. An environment of respect for individual and cultural diversity.
170-296-7545 The licensee must discuss with the licensor how their child care environment reflects the diversity found in society including but not limited to: (1) Gender; (2) Age; (3) Race; (4) Language; and (5) Abilities.	
170-296-7550 If the Licensee provides overnight care: (a) The Licensee must be awake until all children in care are asleep. (b) The written schedule must include evening or overnight care. (c) Deadbolts may be used on doors during nighttime care. [See Indoor Environment for safety plan required].	
Overnight Care	
170-296-7550 If the Licensee provides overnight care: (d) The Licensee must be awake until all children in care are asleep. (e) The written schedule must include evening or overnight care. (f) Deadbolts may be used on doors during nighttime care. [See Indoor Environment for safety plan required].	
170-296-7555 The licensee must provide every child a place to sleep	

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that: (1) Is in safe operable condition; (2) Is waterproof or washable; and (3) Meets the child's developmental needs	
170-296-7556 The licensee must provide bedding for each individual child that: (1) Is clean (2) Is waterproof or washable (3) Meets the child's developmental needs	
170-296-7558 Children under six years of age must not: (1) Use loft style beds or Upper bunks of double-deck beds.	

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170-296-7601 Licensee must have 75 (seventy-five) square feet of space per child for outdoor play, or demonstrate how they meet the intent of outdoor play space.	
Exterior Doors	
170-296-7602 The exterior doors must be equipped with one of the following, a: (a) Door alarm; (b) Chime; or (c) Bell.	(O) 170-296-7602 - This should be something that should be on an individual basis or is given as an option when there are hazards in the area outside the licensed space. Not for all providers and all situations. Supervision of children should be adequate. There could be other ways for a provider to show how they supervise to keep them from

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(This will allow the licensee to know when a child is exiting a licensed space.)	exiting the licensed area. It seems this is a knee jerk reaction to a lawsuit with the state that could have been prevented if the children's welfare was a top priority, instead of the reality of great providers doing their job and using their professional knowledge to take care and supervise the children in their care.
170-296-7605 Routinely used licensed outside play areas must have a securely enclosed space with an enclosure or barrier with a minimum height of 4 (four) feet. <ol style="list-style-type: none"> (1) If using a fence, openings have a space of no more than 3.5 (three-point-five) inches. (2) If local building codes or covenants restrict fence height licensee must demonstrate how children will safely use the play area. (3) Platforms or decks (not including play equipment) with a drop zone are more than 18 (eighteen) inches must have guardrails in any area where there are not steps. <ol style="list-style-type: none"> (a) The guardrails must be at least 30 (thirty) inches high. (b) The guardrail openings have a space of no more than 3.5 (three and one-half) inches. 	
170-296-7610 Stairs with four or more steps must have balusters or a hand rail on at least one side when children less than five years of age are present (this does not include play equipment with stairs).	
170-296-7611 Stairs with four or more steps must have a barrier to prevent infants and toddlers from having access to stairs when not directly supervised.	

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Visibility/Supervision	
170-296-7615 Preschool aged children: <ol style="list-style-type: none"> (1) Must be within hearing and sight of a primary staff member. (2) Must be kept within ratio on the premise. (3) A second staff member may engage in other childcare activities temporarily as long as he/she is in hearing or visual range. (4) Staff must be available and able to respond if the need arises for the safety of the children. 	(O) 170-296-7615 - #1 it should state, hearing <u>or</u> sight of a primary staff member. #'s 2, 3, & 4 would also apply. The way #1 is written, children will not be allowed in forts, tubes, boxes, tunnels, play houses, tents, behind plants or playing hide and seek! You can't see them during this time, but providers know what the children are doing at all times. This "alone" time encourages discovery, dramatic play, pretending, imagination, problem solving, and creative exploration or a place to relax and have down time. This gives children a sense of their"own" space within the safety of the licensed space and the provider /staff is right there.
170-296-7620 School aged children: <ol style="list-style-type: none"> (1) Must be within hearing or sight of the primary staff member. Staff must be available and able to respond if the need arises for the safety of the children.	
Playground Equipment	
170-296-7630 Climbing equipment must not be on hard surfaces when being used by children.	(O) 170-296-7630 - I love the way this is worded!
170-296-7631 The outdoor play area must promote a variety of physical activities.	
170-296-7632 Play equipment must be arranged so that it doesn't interfere with other play equipment when in use.	

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<p>170-296-7633 Bouncing equipment (trampolines, rebounders and inflatable equipment) is not allowed.</p>	<p>(O) 170-296-7633 - Bouncing equipment is not allowed. This statement should be taken out. Bouncing equipment can be moon shoes, pogo sticks, hoppy horses, and tumbling mats. Why won't those items be allowed? It should state: No trampolines or rebounders are allowed. Where is the research on inflatable equipment? Balls (sports, beach, and rubber), small inflatable wading pools, tents, and hoppy horses will no longer be able to be used. Why? They are all inflatable. Maybe it could state: Inflatable bounce toys that are meant to be climbed or bounced on that are over_____ feet in height and that are machine inflatable should not be used. This would allow for the prior play equipment that is inflatable to be used within the childcare. The way this is stated, these are examples and should not be used.</p> <p>Previous comments Submitted 02/26/2010</p> <p>I wish to propose a modification to the proposed rule change 170-296-7633.</p> <p>As per RCW 296-403A-130, all inflatable rides for rent must be inspected and have an operators permit before the general public—including children over the age of 4—be allow to use the ride. Therefore, I propose the the rule language be changed to “trampolines, rebounders, or UNLICENSED inflatable rides is not allowed.” 12/14/2009 12:46PM</p>
<p>170-296-7634 Equipment must be maintained in safe working condition.</p>	
<p>Ground Cover/ Fall Zones</p>	
<p>170-296-7635 Six-foot fall zones must be around each piece of equipment that is intended to be climbed – or the portion of the equipment that is</p>	<p>(O) 170-296-7635 – Should state: six foot fall zones must be around each piece of equipment that is 4 feet or taller, that is intended to be climbed. The height needs to be included in this WAC.</p>

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intended to be climbed.	
170-296-7636 Ground cover must surround all equipment that has a platform over four feet tall that is intended to be climbed.	
170-296-7637 Ground cover or grass must be maintained under a swing with a fall zone that extends at least six feet in front and six feet in back of the stationary swing.	
Play Activities	
170-296-7640 Outdoor activities are required at least once a day if the conditions do not pose a health and safety risk to the children.	(O) 170-296-7640 – I love the way this is worded!
170-296-7641 The licensee must write, show or demonstrate a plan for outdoor activities.	(O) 170-296-7641 – Add: if there is no outdoor licensed space available.
Swimming/Wading Pools	
170-296-7645 A wading pool is: (1) A pool with water depth of two feet or less – measured without children in the pool; and (2) Able to be emptied and moved.	(O) 170-296-7645 – I'm so happy that we can still have wading pools and water play. It is so important to their development.
170-296-7646 When a wading pool is used by the children: (1) The children will always be directly supervised by a primary staff person. (2) Licensee must obtain written parent permission to allow children to use a wading pool. (3) Strict child/staff ratios must be maintained outdoors when children are in a wading pool	

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<ul style="list-style-type: none"> (4) Licensee must use a door alarm or bell to warn them that children are entering the outdoor area when pool water could be accessed (5) The pool must be cleaned and sanitized daily or any time the pool may be soiled. (6) Infants and toddlers must be supervised within reach of the staff. 	

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170-296-7648 A swimming pool is: A pool that has a water depth that is greater than two feet.	
170-296-7650 When a swimming pool is used: <ol style="list-style-type: none"> (1) (a) One person on the premises must have lifeguard training; or (b) A primary staff person with current CPR, First Aid and Lifeguard training must be present. (2) Licensee may choose to have a primary staff with current CPR/First Aid and an additional person with Lifeguard certification in attendance. (3) There must be a 1:1 (staff) ratio for infants and toddlers in a swimming pool. (4) A five foot or higher fence must be maintained around a swimming pool. (5) When pool is not in use – entrance and exit points must be locked. (6) Licensee must have an unlocking device readily available. (7) The swimming pool must be maintained according to manufacturer's specifications. (8) The pool water must be cleaned and sanitized using the manufacturer's specifications. 	(O) 170-296-7650 – Add: When swimming pool is used in the licensed space:
Natural Bodies Of Water Or Water Hazards	
170-296-7651 When children are in care: <ol style="list-style-type: none"> (1) Any bodies of water in the licensed space, must be made 	

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<p>inaccessible with a fence (five feet or above) or a physical barrier.</p> <p>(2) If children have access to water they must be directly supervised by the licensee or a primary staff person with the strict staff/ratios observed</p> <p>(3) Hot tubs, spas, or jacuzzis must have a tub cover with locking devices</p> <p>(4) Five-gallon buckets of water must not be used for infant and toddler water play.</p>	
170-296-7652 Licensee must have a safety plan when water hazards are located outside and near the licensed space.	
170-296-7655 Licensee must have a written supervision plan to protect the children in care when a hazardous condition is present.	
170-296-7656 Abandoned wells and ditches in licensed space must be filled in or sealed.	<p>(O) 170-296-7656 – “Ditches” need to be taken out of this WAC. Definition-a long, narrow channel dug into the earth, as for drainage. Why is this an issue? Natural outdoor areas do have ditches. Many new housing developments have 208 ponds/ditches for drainage. These are there by law and can’t be filled in. All the new research on the outdoor environments encourage the use of uneven ground to give children a sense of depth recognition, large muscle development and the <u>natural</u> form of the of the terrain. Why should children be denied this part of nature? What is the real concerns behind filling in “ditches”? What is the research on “ditches”?</p>
Hazards	
170-296-7660 Toxins must be inaccessible to children and stored away from food.	
170-296-7662 Label containers when the toxin is not in the	

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original containers.	
See also: Health Subchapter - Medical-chemical storage matrix	
Outdoor Pet Waste	
170-296-7665 There must be a designated area outside the children's play area for pets to relieve themselves (this does not need to be fenced).	(O) 170-296-7665, 7666, & 7667 – I like the way this section is worded.
170-296-7666 Feces must be removed right away if an animal relieves themselves in the children's play area.	
170-296-7667 Children must wash hands after playing with a pet.	
170-296-7668 A Licensee with pets must let parents know they have a pet by: <ul style="list-style-type: none"> (1) Communicating how they plan to keep play areas clear of pet waste; and (2) Putting information in the parent handbook. 	
170-296-7669 Pets that have contact with children must: <ul style="list-style-type: none"> (1) Be in good health; (2) Have current immunization for communicable diseases; (3) Show no signs of communicable disease; and (4) Be nonaggressive. 	(O) 170-296-7669 - #'s 1, 3, & 4 – Good health? Who says pets are in good health, show no signs of communicable disease, and be non-aggressive? This is subjective. How would this be enforced? Any examples should be in the guide book.
170-296-7670 Licensee must follow state, county and local requirements for	

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type of pets, including immunizations.	
170-296-7671 Children must not have direct contact with reptiles and amphibians due to the risk of Salmonella.	
170-296-7672 Pre-school and younger children must be directly supervised when interacting with pets.	
170-296-7675 Licensee must demonstrate how a pet known to be dangerous is kept inaccessible to the children.	